

DATE 2011

AM REGIMENT

BED Book
BED
M.A.
M.E.A. Cared

Misc. EVENTS / ISSUES

PREP DROP Actual

SUN.	5.22							
5.23	2:52	3:55	4:25					* 3:00 AM wake-up for insulin is a constant DENOMINATOR.
5.24	3:12	3:25	4:17	11:46	9:47			
5.25	2:37	3:46	4:00	11:35				
5.26	3:04	3:30	4:02	11:56	9:18	9:43		
* 5.27	3:06	3:26	UNK	11:30	10:47			* Co-woke EVERYONE up to insure they were "Alive and Kicking" @
5.28	-	5:08	3:24	10:04	9:10			12:47 AM.
5.29	-	-	-	-	9:30			
5.30	-	3:22	3:41	-	-	-		
5.31	-	-	-	11:46	-	9:15	12:10 AM	
6.1	3:45	3:56	4:10	11:30	10:30	9:05		
6.2	-	4:05	4:22	11:57	8:47	8:36		
* 6.3	2:52	3:12	-	-	-	-		* Rollers Doors for necessities @
6.4	-	-	-	12:46 AM	-	-		12:05 AM.
SUN.	6.5	3:22	4:07	-	-	-		
6.6	3:13	4:09						
6.7								
6.8	3:15	4:07	4:21	-	1:30 AM	10:00 AM		
6.9	2:49	3:36	4:07					
6.27		11:52	████████	10:10				
6.28			2:12					
6.29								
6.30				10:10				
7.1				████████	2:12 AM			
7-5		1:05						
		Lock-down						

DATE
2011

AM REGIMENT

DATE	AM REGIMENT			3rd Book	Last in	Meal	Card
	PREP	DROP	Actual				
8-1	3:26	4:06	4:35	NONE	9:45 AM	UNK	
8-2	3:10	4:12	4:25	NONE	1:45 AM	9:15	
8-3	3:10	3:20	3:21	NONE	2:30 AM	9:28	
8-4	3:36	3:57	4:10	11:45	—	9:04	
8-5	3:10	3:22	3:23	11:52	—	9:12	
8-6	3:37	3:55	4:10	11:36	—	10:49	
* 8-7	4:22	4:35	4:57	—	—	9:30	
8-8				—			
8-9				—		10:38	
8-10	—	4:10	4:57	12:13	1:07 AM	9:47	
8-11							
8-12					9:36	8:40	
8-13	3:10	3:22	3:55	1:38 AM			
8-14				1:34	—	—	
8-15	3:01	4:03	4:10	11:07	12:06	—	
8-16	3:40	3:58	4:49	11:46	9:25	10:07	
8-17	3:19	4:25	5:02	11:30	1:03	12:26	
8-18	3:25	3:37	5:05	11:36	UNK*	10:06	
8-19	3:07	4:22	4:56	—	9:15	9:15	
8-20	—	3:55	4:22				
8-21	—	—	—	6:10 PM*			
22	—	—	—				
23	3:36	3:52	7:56	UNK	12:36		
24	UNK	UNK	UNK	—	11:45	11:22	
25	—	—	—	11:45	—	9:20	

* Smoothed chow run since incarceration - It can be done.

* CO woke everyone up @ 11:49 pm to say hi and asked if we were OK.

* CO woke everyone up just to ask if they're alive & kicking

* Laying pt in door
* what a crept; Mad and laying at the same time, and early too.

2211

4 AM Regimen				ASCO book	Lax in	Mail	Med/ Care	Misc Events / ISSUES
	Prep	Drop	Actual					
4.15								* 5:00 AM wake-up for insulin EVERY DAY
4.16				12:15				
4.16				1:27				
* 4.17				1:38				* TV was left on late to accommodate NBA finals
* 4.18	3:42	4:10		—	11:30	10:20		
* 4.19	3:36	4:05		—	10:35	10:00		
* 4.20	3:49			—		11:53		
* 4.21	3:05	3:26	3:57	11:58				
* 4.22	3:13	3:49	4:16	10:22				
* 4.23	3:18	4:03	4:27	1:48				
4.24				—				
4.25				—	12:10			
4.26	3:06	3:55	4:35	—		10:30		
4.27				—				
4.28				—				
4.29				1:48				
4.30				1:35	9:45	10:12		

DATE 2012	AM REGIMENT			Roster	Lat	TA	MER	Comments / Special Circumstances / Events
	PREP	DROP	ACTUAL					
4-11	Ø	0328	04:18	11:42	11:04	10:25	-	* 4-11- officer Lowmoski <u>ordered</u> all Ed, Vac, laundry and shoe factory into the day room @ 8:28 with no advance notice (prep) - whether you wanted breakfast or not - SEE GRIEVANCE.
4-12	-	UNK	-	11:48	10:56	10:15	-	
4-13	-	UNK	-	0136	Ø	Ø	-	
4-14	-	UNK	-	Ø	UNK	2212	-	
4-15	-	UNK	-	2322	2100	UNK	-	
4-16	0247	0332	0355	Ø	UNK	UNK	-	
4-17	0318	0338	0406	2341	UNK	2307	-	
4-18	Ø	0345	0355	2328	UNK	UNK	-	← This is how its suppose to
4-19	0318	0330	0440	-	2255	UNK	-	RUN
4-20	0335	0415	0430	2346	UNK	2105	-	
4-21	UNK	UNK	UNK	2333	UNK	UNK	-	
4-22	UNK	UNK	UNK	2314	2100	2100	-	
4-23	0355	0405	UNK	2325	2035	2100	-	
4-24	-	0335	UNK	-	UNK	UNK	-	
4-25	-	0346	0410	2318	UNK	2025	-	
4-26	0350	0410	0430	2335	2018	2018	-	
4-27	UNK	UNK	UNK	2342	UNK	Ø	-	
4-28	0310	0345	0355	2310	UNK	Ø	-	
4-29	UNK	UNK	UNK	-	Ø	Ø	-	
*4-30	0244	0424	0455	2342	2145	UNK	1815	* 4-30- officer Ordered all, shoe factory, Ed, Vac, and laundry to "get ready" at 0244 then didn't drop us until SEE GRIEVANCE
5-1	0311	0422	0457	2330				

Texas Department of Criminal Justice

INSTITUTIONAL DIVISION

Inter-Office Communications

4

To: All Clements Unit Staff & Offenders

Date: October 7, 2010

From: John Adams, Senior Warden
Clements Unit

Subject: Unit Safety Policy Statement

- * Safety on the job is a primary responsibility of every employee and offender. Employee/Offender safety cannot succeed without every individual's sincere diligent effort. It is the responsibility of the Unit Risk Manager to coordinate this effort. (TDCJ has gone to great expense to provide safe working conditions throughout the unit.) It is the supervisor's/employee's responsibility to make every reasonable effort to ensure a safe working environment in his or her area at all times.
- * The contributing factor in over 60% of all accidents involves both the employee and his/her environment. The supervisor/employee must, therefore, be constantly on the alert for incidents of human error and mechanical failure. He or she must take the initiative to make corrections where he/she has such authority. Any condition or employee practice that is likely to cause an accident must be reported immediately to a Supervisor and the Unit Risk Management Department.

Aside from acts of nature supervisors and employees must be convinced that accidents are caused; they don't just happen and therefore can be avoided. An act of negligence, a disregard for established rules or procedures, being in a hurry, improperly guarded machinery, lack of or improper maintenance and sanitation all can cause an accident.

To make the Clements Unit safety program effective, every Department Head / Supervisor shall ensure that:

- (1) Work is not assigned that is hazardous or located in a hazardous area until all steps have been taken to provide for the safety of all concerned. No employee/offender will knowingly be exposed to occupational safety hazards. Compliance with established safety practices is the responsibility of all TDCJ staff and offenders.
- (2) All employees/offenders have received proper job safety instruction and are familiar with all applicable TDCJ safety and health rules and regulations.
- (3) Work areas are frequently inspected for safe working practices and environment.
- (4) All safety and health deficiencies are corrected immediately and not repeated.
- (5) Accidents are investigated and corrective action initiated where necessary.

Like the Department Head/Supervisor, every employee/offender has a specific role in our loss-prevention efforts. Each employee/offender is expected to participate actively in the Safety Program and observe all established precautionary measures.

Reporting Injuries: Injuries, no matter how minor, must be reported to a supervisor and referred to Unit Medical.

Workers' Compensation: Employees who sustain an occupational injury or illness will be compensated in accordance with the State Workers' Compensation Act. In order to receive such benefits, the appropriate notification and medical reports must be provided by the employee.

Personal Protective Equipment: Where necessary, by reason of hazard, TDCJ will provide the necessary personal protective equipment to ensure the well being of the employee/offender.

Management is committed to provide the leadership and support required to establish and maintain an effective safety and health program; however, in the final analysis, remember you can prevent accidents and eliminate hazards. You are a very important part of the Clements Unit's successful Safety program and a valuable member of the Unit Safety Team.

John Adams, Senior Warden, Clements Unit

10/07/2010

Date

2

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
OFFENDER SAFETY REGULATIONS**

Each new commitment will be required to read and sign the below safety regulations. In the event the offender cannot read, these regulations will be read and explained to him and this fact indicated in the signature area. If for any reason an offender refuses to sign, this fact will also be noted on the bottom portion of this form.

***DISCIPLINARY ACTION MAY RESULT FROM FAILURE TO FOLLOW THE FOLLOWING SAFETY REGULATIONS. ***

1. Every effort will be made to provide a safe work area and environment for each offender worker and to provide the appropriate safety equipment for each individual. *✓ Apply to STAFF as well*
2. It is the responsibility of each offender worker to use the safety equipment issued to protect them against physical injury and/or health hazards. Make certain you follow instructions for properly wearing required personal protective equipment such as goggles, aprons, arm guards, hard hats, and respirators before you begin an operation.
3. You must wear safety goggles or glasses when performing any grinding, chiseling, filing, or chipping operations.
4. Hearing protection must be worn on all work stations designated as high noise level areas.
5. Appropriate footwear will be determined by your supervisor and the Unit Risk Management Coordinator.
6. Report all safety hazards immediately to your work supervisor. Do not continue to work in any area or on any machinery or equipment that is deemed unsafe or improperly guarded by the work supervisor. If your work supervisor does not agree that an unsafe condition exists, the fact should be reported by you to the Unit Risk Management Coordinator either verbally or by written document. *✓ Delib. IND.*
7. Offenders will perform only work that is assigned to them, and with machines or equipment on which training has been received. Operating machines or equipment without being properly trained and without clearance from Unit Maintenance is strictly forbidden.
8. Operating equipment without using the safety guard(s) provided or removal of the safety guard(s) is forbidden.
9. The fabrication or repair of personal items on State equipment (except when authorized in the Craft Shop) is against safety regulations and is prohibited.
10. Do not try to adjust, oil, clean, repair or perform any maintenance on any machine while it is in motion and not properly locked out.
11. Do not lift weights at recreation until authorized by the Medical Department.
12. All offenders participating in recreational activities will exercise care and common sense and will follow all game rules when participating in organized sporting activities. Horseplay during recreational activities will not be tolerated.
13. Do not ride on the draw bars of farm vehicles. The operator is the only person authorized to ride on a tractor, forklift or tow vehicle.
14. Do not stand up in moving vehicles. Do not let legs hang over the sides of trailers. Do not attempt to dismount until the vehicle has stopped completely.
15. Offenders who are injured while performing their assigned duties will immediately report such injury to their work supervisor (staff member). Report a work injury to your Supervisor immediately.
16. It is the responsibility of each offender worker to exercise care, cooperation, and common sense in conducting his assigned work. Horseplay on the job will not be tolerated.

I HAVE READ AND UNDERSTAND THE ABOVE SAFETY RULES:

OFFENDER SIGNATURE

OFFENDER NUMBER

DATE

WITNESSED BY

TITLE

cc: Signed copy to Records Office (OFFENDER JACKET)

(Spanish version available on request – Versión español disponible)

An exercise in hypocrisy -
Item 16 - Del. Ind.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

Ex Parte §
STEVEN MICHAEL BACKSTROM § WITNESS DECLARATION
v. §
RICK THAYLER, Director, TDCJ-ID § CIVIL ACTION NO. _____
Respondent §
§

I am currently incarcerated at the W.P. Clements unit(TDCJ-ID), located at; 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, i am currently, or have been in the past, an inmate employee at the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are true and correct.

- 1) Are you now, or have you ever been ordered to work on the "DESMA" soling machine...? yes no _____
- 2) At any time, at any position you were ordered to work at, were you "TRAINED" [by] an INMATE or CIVILIAN employee ? (circle one)
- 3) Upon leaving one position to move to another position, were you ever the one to TRAIN the inmate receiving you ? yes no _____

*IF NOT, was that inmate trained by an inmate or civilian employee [BEFORE] he relieved you ? INMATE or CIVILIAN employee ?(circle one)

- 4) At any point during your tenure at the W.P. Clements Shoe Factory did you witness any employee (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION ? yes no _____

**IF YES...WHO and WHAT JOB POSITION...? HOW LONG DID THIS "TRAINING" LAST...? OR WHAT DID THE "TRAINING" CONSIST OF...?

the so called training lasted about 1-2 minutes

- 5) At any time have you participated in ANY "TRAINING" MEETING OR SEMMINAR pertaining to the safe operations of ANY PORTION of your JOB ASSIGNMENT in the W.P. Clements unit Shoe Factory...as oposed to, ..."simply signing a document provided by a civilian employee"? yes no _____

6) Have you ever been injured while "EMPLOYED" to work on a "DESMA"?

yes no X

***IF your answer to #6) was yes, please state the date (approx.) the incident occurred (_____) and briefly describe your injuries:

7) Are you constantly awakened by TCCJ-ID staff at the W.P.Clements unit [after] rock-time (10:30 p.m.) for ROSTER COUNT or for things such as; mail call, layline, meal cards being passed out etc.. and does it effect your awareness and attention capabilities at work..?

yes X no

***IF you had an accident at work (injury) was this sleep deprivation a contributing factor? yes no

8) Approx. how many hours of sleep do you think you average per night during your work-week? 3 to 4 HRS.

9) Approx. how many hours of "UNINTERRUPTED" sleep do you get during a single night? 3 to 4 HRS. (during your work-week)

Herbert F. Garza

Signature:

Herbert F GARZA

Print Name:

1598977

TCCJ-ID#

W.P. Clements unit

Address:

9801 spur 591

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

Ex Parte	§	
STEVEN MICHAEL BACKSTROM	§	WITNESS DECLARATION
v.	§	
RICK THAYLER, Director, TDCJ-ID	§	CIVIL ACTION NO. _____
Respondent	§	
	§	

I am currently incarcerated at the W.P. Clements unit(TDCJ-ID), located at; 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, i am currently, or have been in the past, an inmate employee at the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are true and correct.

- 1) Are you now, or have you ever been ordered to work on the "DESMA" soiling machine..? yes no
- 2) At any time, at any position you were ordered to work at, were you "TRAINED" [by] an INMATE or CIVILIAN employee ? (circle one)
- 3) Upon leaving one position to move to another position, were you ever the one to TRAIN the inmate receiving you ? yes no

*IF NOT, was that inmate trained by an inmate or civilian employee [BEFORE] he relieved you ? INMATE or CIVILIAN employee ?(circle one)

- 4) At any point during your tenure at the W.P. Clements Shoe Factory did you witness any employee (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION ? yes no

**IF YES...WHO and WHAT JOB POSITION...? HOW LONG DID THIS "TRAINING" LAST...? OR WHAT DID THE "TRAINING" CONSIST OF..?

- 5) At any time have you participated in ANY "TRAINING" MEETING OR SEMINAR pertaining to the safe operations of ANY PORTION of your JOB ASSIGNMENT in the W.P. Clements unit Shoe Factory...as oposed to, ..."simply signing a document provided by a civilian employee"?

yes no

6) Have you ever been injured while "EMPLOYED" to work on a "DESMA"?

yes no ✓

***IF your answer to #6) was yes, please state the date (approx.) the incident occurred (_____) and briefly describe your injuries;

7) Are you constantly awakened by TOCJ-ID staff at the W.P.Clemente unit [after] rack-time (10:30 p.m.) for ROSTER COUNT or for things such as; mail call, layins, meal cards being passed out etc.. and does it effect your awareness and attention capabilities at work..?
yes ✓ no

***IF you had an accident at work (injury) was this sleep deprivation a contributing factor ? yes no

8) Approx. how many hours of sleep do you think you average per night during your work-week ? 5 to 4 HRS.

9) Approx. how many hours of "UNINTERRUPTED" sleep do you get during a single night ? 5 to 4 HRS. (during your work-week)

Mike Grey

Signature

Mike Grey

Print Name

861264

TOCJ-ID#

W.P. Clemente unit

Address

9601 spur 591

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

BACKSTROM,

Plaintiff pro se

WITNESS DECLARATION

v.

THAYLER, et.al.

THAYLER, et.al.

Defendants

CIVIL ACTION NO. _____

I am currently incarcerated at the Texas Dept. of Crim. Justice, W.P. Clements unit, located at, 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and declare under penalty of perjury that every one of the following questions answered are true and correct to the best of my knowledge.....

- 1) Are you now or have you ever been ordered to work on the "DESMA" soiling machine? yes no _____
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN? (circle one). _____
- 3) Upon leaving one position to move into another position were you responsible to train the inmate relieving you? yes no _____
IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you? yes _____ no _____
- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION? yes no no _____
IF YES....WHO AND WHAT JOB POSITION.....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...?

The TRAINING LASTED ONLY A FEW MINUTES AND IT
DIDN'T INVOLVE ANY SAFETY ISSUES.

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SEMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee? yes _____ no
- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine? yes _____ no

....cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (- -) and briefly described your injuries;

27) Are you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-time (10:30 p.m.) for things such as; BED-BIG COUNT, MAIL CALL, LAYING BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes no and; if yes, does it effect your awareness and attention capabilities at work..? yes no * * * * *

***IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUTING FACTOR.....? yes no

Mason-Hughes
Signature

MASON HUGHES
Print Name

01157700
TDCJ-ID#

9601 spur 591
Address:

W.P. CLEMENTS UNIT (TDCJ-ID)

AMARILLO, TX. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

BACKSTROM,
Plaintiff pro-se

§

§ WITNESS DECLARATION

v.

§

THAYLER, et.al.
Defendants

§ CIVIL ACTION NO. _____

§

I am currently at the Texas Dept. of Crim. Justice, W.P. Clements unit located at 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are answered true and correct to the best of my knowledge....;

- 1) Are you now, or have you ever been ordered to work on the "DESMA" soling machine..? yes no
- 2) At any time at any position you were ordered to work at, WERE YOU "TRAINED" [BY] an **INMATE** or CIVILIAN? (circle one)
- 3) Upon leaving one position to move to another position were you ever the one responsible 'to train' the inmate relieving you? yes no

IF NEITHER, was THAT inmate trained [by] an inmate or employee [BEFORE] he relieved you? yes no

- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION? yes no

IF YES....WHO AND WHAT JOB POSITION....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? _____

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SEMINAR pertaining to the safe operation(S) of ANY portion of your JOB in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee? yes no
- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine..? yes no

...cont....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (- -) and briefly describe your injuries;

7) Are you constantly awakened by TDCJ-ID W.P. Clements unit staff after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYNS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes no
and; IF YES , does it effect your awareness and attention capabilities at work..?
yes no

***IF YOU HAD AN ACCIDNET/INJURY AT WORK, WAS THIS A CONTRIBUTING FACTOR DO YOU THINK "? YES NO

Wallace Bowman Jr

Signature

Wallace Bowman Jr

Print Name

1638747

TDCJ-ID#

9601 spur 591

Address

W.P. Clements unit(TDCJ-ID)

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

BACKSTROM, §
Plaintiff pro-se §
§ WITNESS DECLARATION
v. §
THAYLER, et.al. §
XMAJLERXXXXXX § CIVIL ACTION NO. _____
Defendants §
§
§

I am currently incarcerated at the Texas Dept. of Crim. Justice, W.P. Clements unit, located at, 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and declare under penalty of perjury that every one of the following questions answered are true and correct to the best of my knowledge....;

- 1) Are you now or have you ever been ordered to work on the "DESMA" soling machine " yes no _____
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible to train the inmate relieving you ? yes no _____

IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes _____ no _____

- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION? yes no _____

IF YES....WHO AND WHAT JOB POSITION....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? Mr. Tomson

TRAINING AN OFFENDER TO FREE - HENT THE CANVAS MATERIAL.

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee ? yes _____ no
- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine.? yes _____ no

....cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (- -) and briefly described your injuries;

N/A

#7) Are you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes no _____ and; IF YES, does it effect your awareness and attention capabilities at work..? yes no _____

***IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUTING FACTOR.....? yes _____ no _____

William Hicks
Signature

William Hicks
Print Name

839032
TDCJ-ID#

9601 spur 591
Address;

W.P. CLEMENTS UNIT (TDCJ-ID)
AMARILLO, TX. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

BACKSTROM, Plaintiff pro se
v. THAYLER, et.al. Defendants
WITNESS DECLARATION
CIVIL ACTION NO. _____
Defendants

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- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible to train the inmate relieving you ? yes no _____
IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes _____ no _____
- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION.? yes _____ no

IF YES....WHO AND WHAT JOB POSITION.....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? _____

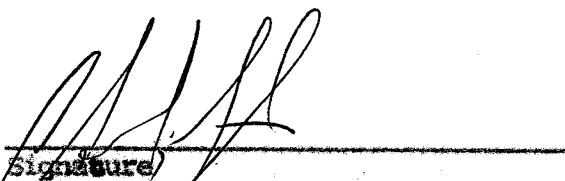
- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee ? yes _____ no
- 6) Have you ever been enjured while "EMPLOYED" to work on a "DESMA" machine.? yes _____ no

....cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (- -) and briefly described your injuries;

87) Are you constantly awokened by TDCJ-ID staff at W.P. Clements unit after rack-
time (10:30 p.m.) for things such as; BED-HUG COUNT, MAIL CALL, LAYINS BEING
PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes X no _____
and; IF YES, does it effect your awareness and attention capabilities at work..?
yes X no _____

***IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUTING FACTOR.....? yes _____ no _____



Signature

Christopher Southern

Print Name

#1423466

TDCJ-ID#

9601 Spur 591

Address:

W.P. CLEMENTS UNIT (TDCJ-ID)

AMARILLO, TX. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

BACKSTROM,

Plaintiff pro-se

§

v.

THAYLER, et.al.

Defendants

§ WITNESS DECLARATION

§ CIVIL ACTION NO. _____

§

I am currently at the Texas Dept. of Crim. Justice, W.P. Clements unit located at 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are answered true and correct to the best of my knowledge....;

- 1) Are you now, or have you ever been ordered to work on the "DESMA" soling machine...? yes no _____
- 2) At any time at any position you were ordered to work at, WERE YOU "TRAINED" [BY] an INMATE or CIVILIAN? (circle one)
- 3) Upon leaving one position to move to another position were you ever the one responsible 'to train' the inmate relieving you? yes no _____
IF NEITHER, was THAT inmate trained [by] an inmate or employee (BEFORE) he relieved you? yes no _____
- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION? yes no _____

IF YES....WHO AND WHAT JOB POSITION....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? Desma, Trimming, Boot & Shoe Carousel and Sewing Machines

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR pertaining to the safe operation(S) of ANY portion of your JOB in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee? yes no _____
- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine...? yes no _____

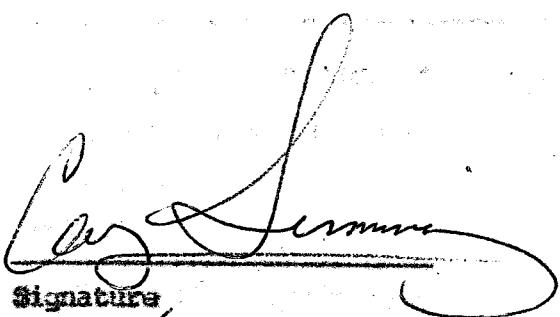
...cont....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (11-3-2011) and briefly describe your injuries;

Machine closed on hand tissue causing slight
injury - I have been cut

7) Are you constantly awakened by TDCJ-ID W.P. Clements unit staff after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes ✓ no
and; IF YES , does it effect your awareness and attention capabilities at work..? yes ✓ no

***IF YOU HAD AN ACCIDENT/INJURY AT WORK, WAS THIS A CONTRIBUTING FACTOR DO YOU THINK "? YES ✓ NO


Signature

Cary Simmans

Print Name

1570666

TDCJ-ID#

9601 snur 591

Address

W.P. Clements unit (TDCJ-ID)

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

BACKSTROM, Plaintiff pro-se
v. THAYLER, et.al. Defendants
THAYLERXXXXXX
WITNESS DECLARATION
CIVIL ACTION NO. _____
Defendants

I am currently incarcerated at the Texas Dept. of Crim. Justice, W.P. Clements unit, located at, 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and declare under penalty of perjury that every one of the following questions answered are true and correct to the best of my knowledge....;

- 1) Are you now or have you ever been ordered to work on the "DESMA" soling machine " yes no _____
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible to train the inmate relieving you ? yes no _____
IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes _____ no
- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION.? yes _____ no

IF YES....WHO AND WHAT JOB POSITION....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? _____

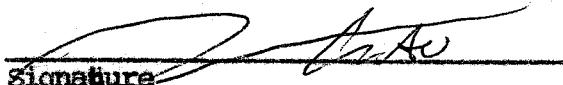
- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee ? yes _____ no
- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine.? yes _____ no

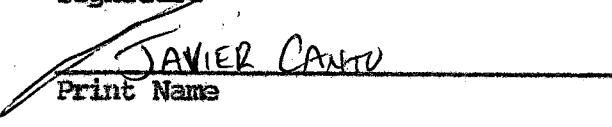
....cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (- -) and briefly described your injuries;

#7) Are you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes no
and; IF YES, does it effect your awareness and attention capabilities at work..? yes no

***IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUTING FACTOR.....? yes no N/A DOES NOT PERTAIN


Signature


JAVIER CANTU
Print Name

1258731
TDCJ-ID#

9601 spur 591
Address:

W.P. CLEMENTS UNIT (TDCJ-ID)

AMARILLO, TX. 79107-9606



Texas Department of Criminal Justice

STEP 1 **OFFENDER**
GRIEVANCE FORM

Offender Name: K.W. BURDEN TDCJ # 766908
 Unit: BC-037 Housing Assignment: 4D-53-B
 Unit where incident occurred: BC-037

OFFICE USE ONLY	
Grievance #:	<u>2012038871</u>
Date Received:	<u>NOV 02 2011</u>
Date Due:	<u>12-12-11</u>
Grievance Code:	<u>526</u>
Investigator ID #:	<u>I17D9</u>
Extension Date:	
Date Retd to Offender:	<u>DEC 09 2011</u>

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing. Who did you talk to (name, title)? Mr Bolin & Mr. Jones When? 10/26/11
 What was their response? There's some papers for you to read (IF YOU WANT TO) just sign it
 What action was taken? NONE, WE WERE NOT PROPERLY SAFETY TRAINED TO CONDUCT OUR WORK

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

** On the above date, at the BC-037 shoe factory, the trimers were given a sheet of paper that has lines on it for signing.....we were told to sign it.....safety training papers... (?) The officer over the trimmers, Mr. Jones failed to conduct a safety training demonstration prior to ordering his offender/workers to sign the safety training papers.

*NOTE: This Procedure takes place throughout the Shoe factory and cause many injuries.

***This procedure is clearly improper and does not qualify as adequate safety training.....in fact, it is equivalent to FALSIFICATION OF GOV'T DOC.s..

FALSIFICATION OF GOV'T RECORD's.....SEE: TX. Penal Code §37.01; §§ 2.A.B. for def.of Gov't record.....and.....§37.10 Tampering with Gov't record; "a person commits an offense if he; (1). knowingly makes a false entry in, or false alteration of, a gov't record (2). makes, presents or uses any gov't record, doc. or thing with knowledge of its falsity and with intent that it be taken as a genuine gov't rec'd. and (5). makes, presents or uses a gov't rec'd. with the knowledge of its falsity; an offense under this section is a 3rd degree felony.....FRAUD-def.; 'a knowing misrepresentation of the truth (OR) Concealment of a material fact to induce another to act to his/her detriment..fraud is USV "TORT" but, in some cases (esp. when the conduct is willfull) it may be a crime.' add/or.....

INSURANCE FRAUD: def....'fraud against an insurer, as when an insured lies on a policy application or fabricates a claim.....(such as claiming a safety test or meeting was conducted when in reality it was not, and the prison staff force offenders to sign on the dotted line or suffer disc. action if they don't) ? THE ABOVE IS ONLY SOME OF THE CHARGES THAT CAN

BE BROUGHT UP ON THE SHOE FACTORY SUPERVISOR(S) AND STAFF FOR FABRICATING A FALSE SAFETY ROSTER SHEET WITHOUT ACTUALLY HOLDING A MEETING OR CLASS TO PROPERLY INSTRUCT ITS WORKERS

***NOTE: TDCJ-ID #D. 22 code 5. a. Reckless endangerment.....would fall in this same catagory as well.

Officer Jones is not stopping production for a safety meeting. His supervisor(s) are not forcing him or telling him to do so either. I filed a grievance already about being forced to work in an unsafe work environment where knives are not properly sharpened or offenders properly trained to sharpen the knives nor the staff exchanging old knives so that sharpening them will not be excessively hazardous every day. NOW we are to sign a roster that says we were properly instructed in the handling of knives and sharpening of knives. ~~0.3.2011~~ ~~NOV 02 2011~~ have been given any numerous safety instructions when actually we have not !?

Action Requested to resolve your Complaint. START STOPPING PRODUCTION FOR AN ACTUAL SAFETY MEETING ON A MONTHLY BASIS... WITH VIDEO's and PROPER INSTRUCTIONS AND DEMONSTRATIONS BY THE STAFF.

Offender Signature: NOV 02 2011 Teri A. Ford Date: 10/27/11

Grievance Response:

Your grievance was investigated and reviewed. Mr. Boland states you are not on his crew, Mr. Jones states he did conduct safety training on cold weather and you were given opportunity to ask any questions you may have had before signing training sheet. There was no evidence presented to support your allegations of staff misconduct. No further action is warranted.

DEC 09 2011

Signature Authority: J. H. Adams

Date: 12/9/2011

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language.
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance #
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY	
Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

4053



Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

Offender Name: K.W. Burden TDCJ # 766908
 Unit: BC-037 Housing Assignment: 4D-53-B
 Unit where incident occurred: BC-037

OFFICE USE ONLY	
Grievance #	<u>2012038071</u>
UGI Recd Date:	<u>DEC 14 2011</u>
HQ Recd Date:	<u>DEC 16 2011</u>
Date Due:	<u>1-18</u>
Grievance Code:	<u>526</u>
Investigator ID #:	<u>I0317</u>
Extension Date:	<u>2-22-12</u>

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because

* Step-1 Grievance #2012038071 was not properly AND UNBIASEDLY INVESTIGATED — AS FOLLOWS;

#1. Step-1 Response clearly indicates that "ONLY OFFICERS" were asked About SAFETY meetings — NOT ONE OFFENDER was asked — ?

#2 This is a serious issue and if it is not corrected offenders will continue to get injured.

— some of them "seriously" — ask Mike Backstrom, Mayo, there are many many people who have been seriously injured at this Boot factory and NOTHING CHANGES — ?

This ↑ is because of grievances like mine

Not being properly & meaningfully investigated!

#3. Offenders are the only one's who "PAY THE PRICE" for this deliberate indifference to safety violations; WE get injured, - sometimes for life - AND then the blame is reversed back on us, writing us cases that could possibly cause us to lose any opportunity for parole, loss of comm. Privileges, Visits with our families, etc.

Offender Signature: Janice Reed Date: 12/14/11

Grievance Response:

Your complaint has been reviewed and noted. Review of your Step II grievance indicates no evidence or information that would warrant further investigation into your allegations. No further action is warranted.

Signature Authority: Joe Miller

Date: 1-17-12

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted.*
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

MB 18 33

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd:	_____
Date CGO Recd:	_____
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	Comments: _____
Date Returned to Offender: _____	
2 nd Submission	CGO Initials: _____
Date UGI Recd:	_____
Date CGO Recd:	_____
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	Comments: _____
Date Returned to Offender: _____	
3 rd Submission	CGO Initials: _____
Date UGI Recd:	_____
Date CGO Recd:	_____
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	Comments: _____
Date Returned to Offender: _____	

